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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,836	07/24/2001	Hiroshi Tanaka	Q65448	4281

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EXAMINER

THAI, CUONG T

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/910,836

Applicant(s)

TANAKA ET AL.

Examiner

CUONG T THAI

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on June/29/2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9-16 and 18-28 is/are rejected.
- 7) ☒ Claim(s) 6, 8 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

PART III DETAILED ACTION

1. This action is responsive to Amendment filed on June/29/2004.
2. Claims 1-28 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103(a) that form the basis for the rejections under this section made in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7, 9, 10-16, and 18-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howards Koritzinsky et al. (USPN: 6,598,011) hereinafter Howards Koritzinsky in view of Sitka et al. (USPN: 6,349,373 B2) hereinafter Sitka.

As per claim 1 (system), Howards Koritzinsky discloses a medical image management system as the technique of “scanners” in diagnostic systems which Howards Koritzinsky further indicates that the citation “scanners” should be understood to include medical diagnostic data acquisition equipment generally and not to be limited to image data acquisition; as well as picture archiving communications and retrieval systems; and image management systems (see col. 5, lines 25-30), comprising:

A mobile image data reception device, which is connectable to medical image data storage means installed in a medical facility, having a function of receiving medical image data

Art Unit: 2173

sets stored in the medical image data storage means from the medical image data storage means and a function of storing the medical image data sets is taught by Howards Koritzinsky as the technique of a service system 10 which is illustrated for providing remote service to a plurality of medical diagnostic system 12. **In Fig.1**, the medical diagnostic systems include a magnetic resonance imaging (MRI) system 14, a computed topography (CT) system 16, and an ultrasound imaging system 18. The diagnostic systems may be positioned in a single location or facility, such as a medical facility 20 (see col. 4, lines 30-37), system controllers 46 is linked to a communications modules 48, generally similar to communications module 32 of MRI system 14, for transmitting and receiving data for remote service of system 16 (see col. 5, lines 47-50), and a local storage source at the diagnostic system, as well as from a remote library (see col. 4, lines 15-17);

An image data storage apparatus, which is connectable to the mobile image data reception device, having a function of receiving the medical image data sets transmitting from the mobiles image data reception device and function of storing the image data sets is taught by Howards Koritzinsky as the technique of **In Fig.1**, field service units 24 may be linked to service facility 22 via a remote access network 80...Data may be exchanged between the diagnostic systems, field service units, and remote service facility 22 in any suitable format (see col. 6, lines 34-41) and a local storage source at the diagnostic system, as well as from a remote library (see col. 4, lines 15-17);

Howards Koritzinsky, however, does not disclose the limitation of the image data storage apparatus comprises storage period management means for managing a storage period of each of the medical image data sets stored therein.

Sitka discloses the limitation of the image data storage apparatus comprises storage period management means for managing a storage period of each of the medical image data sets stored therein as the technique of direct storage manager (DSM) 220 for controlling short term storage device 170, mid-term storage device 180 and long term storage device 190 (see col. 5, lines 6-8 and see Fig. 2) based on predetermined period of time (see blocks 340 and 360 in Fig. 3).

It would have been obvious one having ordinary skill in the art at the time the invention was made to include Sitka's short term storage device, mid-term storage device and long term storage device into that of Howard Koritzinsky's invention. By doing so, the system would be enhanced by allow itself to categorized each received data sets and stored those into proper storage location. Thus, the system would reduce access time and requires less intervention by hospital personnel.

As per claim 5, due to mostly similarity of this claim to that of claim 1, except for a mobile image data reception device connectable to medical image data storage, this claim is therefore rejected for the same reasons applied to claim 1.

As per claim 14, Howard Koritzinsky discloses a medical image management method as the technique of "scanners" in diagnostic systems which Howard Korritzinsky further indicates that the citation "scanners" should be understood to include medical diagnostic data acquisition equipment generally and not to be limited to image data acquisition, as well as picture archiving

Art Unit: 2173

communications and retrieval systems, image management systems (see col. 5, lines 25-30), comprising the steps of:

Storing medical image data sets in storage means installed in a medical facility is taught by Howards Koritzinsky as the technique of the medical diagnostic systems include a magnetic resonance imaging (MRI) system 14, a computed topography (CT) system 16, and an ultrasound imaging system 18. The diagnostic systems may be positioned in a single location or facility, such as a medical facility 20 (see col. 4, lines 30-37) and the program is stored such as in a database 156 or other storage device accessible to the service facility (see col. 23, lines 65-67);

Receiving and storing the medical image data sets from the medical image storage means by using an image data storage apparatus installed outside the medical facility is taught by Howards Koritzinsky as the technique in Fig. 1, field service units 24 may be linked to service facility 22 via a remote access network 80...Data may be exchanged between the diagnostic systems, field service units, and remote service facility 22 in any suitable format (see col. 6, lines 34-41) and a local storage source at the diagnostic system, as well as from a remote library (see col. 4, lines 15-17);

Howards Koritzinsky, however, does not disclose the limitation of managing a storage period of each of the medical image data sets that have been stored.

Sitka discloses the limitation of managing a storage period of each of the medical image data sets that have been stored as the technique of direct storage manager (DSM) 220 for controlling short term storage device 170, mid-term storage device 180 and long term storage device 190 (see col. 5, lines 6-8 and see Fig. 2).

Art Unit: 2173

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Sitka's system manager for controlling short term storage device, mid-term storage device and long term storage device into that of Howard's Koritzinsky's invention. By doing so, the system would be enhanced by allowing itself to categorize each received data set and store those into proper storage location. Thus, the system would reduce access time and requires less intervention by hospital personnel.

As per claim 2, the limitation of wherein the mobile image data reception device further has a function of transmitting a reception completion signal to the medical image data storage means at the time of reception completion of the medical image data sets is taught by Howard's Koritzinsky as the technique of system controllers 46 is linked to a communications module 48, generally similar to communications module 32 of MRI system 14, for transmitting and receiving data for remote service of system 16 (see col. 5, lines 47-50) and Remote Service storage management with Storage Date such as: 07/22/00 and 07/29/00 (see Fig. 10).

This claim is therefore rejected for the reasons as set forth above.

As per claim 3, due to the similarity of this claim to the first limitation of claim 1, this claim is therefore rejected for the reason set forth above.

As per claim 4, due to the similarity of this claim to the last two limitations of claim 1, this claim is therefore rejected for the reasons as set forth above.

Art Unit: 2173

As per claim 7, the limitation of wherein the medical image data storage means has a function of transmitting a reception request signal for requesting reception of the medical image data sets stored in the medical image data storage means, and the image data storage apparatus has a function of receiving the reception request signal are taught by taught by Howards Koritzinsky as the technique of as shown in Fig. 2, the field service units 24 and the diagnostic system 12 can be linked to the service facility 22 via a network connection as illustrated generally at reference numeral 80. Within each diagnostic system 12, a uniform service platform 90 is provided. Platform 90, which is described in greater detail in Fig. 3, includes hardware, firmware, and software components adapted for composing services requests, transmitting and receiving service data (see col. 7, lines 10-18) and in Fig. 1, field service units 24 may be linked to service facility 22 via a remote access network 80...Data may be exchanged between the diagnostic systems, field service units, and remote service facility 22 in any suitable format (see col. 6, lines 34-41). This claim is therefore rejected for the reason as set forth above.

As per claim 10, the limitation of wherein the image data apparatus further comprises outputs means for outputting a desired one of the medical image data sets stored therein according to a predetermined output condition input thereto is taught by Howards Koritzinsky as the technique of field service units 24 may be linked to service facility 22 via a remote access network 80 (see col. 6, lines 34-35) and the control logic indicated generally by reference numeral number 310, may begin in several manners, depending upon whether the report is being generated automatically, or by field engineer... Various types of reports may be produced, including the reports relating to recent or historical service activities, reports of the state of

Art Unit: 2173

diagnostic system, including the numbers and types of examinations performed, errors or problems encountered, anticipated service needs, and so forth. For example, in X-ray and CT modalities, the reports may related to the operational status of the X-ray tubes, while in the MRI systems, reports may include data relating to cryogen levels and temperatures (see col. 19, lines 17-32 and see Fig. 9). This claim is therefore rejected for the reasons as set forth above.

As per claim 15, Howards Koritzinsky discloses the limitation of a computer readable recording medium storing a program to cause a computer installed in the mobile image data reception device used in the medical image system as the technique of within each diagnostic system 12, a uniform service platform 90 is provided. Platform 90, which is described in greater detail in Fig. 3, includes hardware, firmware, and software components adapted for composing services requests, transmitting and receiving service data (see col. 7, lines 10-18) of a service system 10 is illustrated for providing remote service to a plurality of medical diagnostic system 12 (see col. 4, lines 31-32), system controllers 46 is linked to a communications modules 48, generally similar to communications module 32 of MRI system 14, for transmitting and receiving data for remote service of system 16 (see col. 5, lines 47-50), to execute the procedure of:

Receiving the medical image data sets stored in the medical image data storage means installed in the medical facility from the medical storage means and storing the image data sets is taught by Howards Koritzinsky as the technique of a service system 10 is illustrated for providing remote service to a plurality of medical diagnostic system 12. In Fig. 1, the medical diagnostic systems include a magnetic resonance imaging (MRI) system 14, a computed

Art Unit: 2173

topography (CT) system 16, and an ultrasound imaging system 18. The diagnostic systems may be positioned in a single location or facility, such as a medical facility 20 (see col. 4, lines 30-37), system controllers 46 is linked to a communications modules 48, generally similar to communications module 32 of MRI system 14, for transmitting and receiving data for remote service of system 16 (see col. 5, lines 47-50), and a local storage source at the diagnostic system, as well as from a remote library (see col. 4, lines 15-17);

Transmitting the medical image data sets that have been received and stored to the image data storage apparatus is taught by Howards Koritzinsky as the technique of field service units 24 may be linked to service facility 22 via a remote access network 80...Data may be exchanged between the diagnostic systems, field service units, and remote service facility 22 in any suitable format (see col. 6, lines 34-41) and at step 404, the program is stored such as in a database 156 (see col. 23, lines 65-66).

This claim is therefore rejected for the reason as set forth above.

As per claim 16, Howards Koritzinsky discloses a computer readable recording medium storing a program to cause a computer in the image data storage apparatus used in the medical image management system as the technique of field service units 24 may be linked to service facility 22 via a remote access network 80...Data may be exchanged between the diagnostic systems, field service units, and remote service facility 22 in any suitable format (see col. 6, lines 34-41), to execute the procedure of:

Receiving the medical image data sets from the medical image data storage means is taught by Howards Koritzinsky as the technique of field service units 24 may be linked to service

Art Unit: 2173

facility 22 via a remote access network 80...Data may be exchanged between the diagnostic systems, field service units, and remote service facility 22 in any suitable format (see col. 6, lines 34-41) wherein system controllers 46 is linked to a communications modules 48, generally similar to communications module 32 of MRI system 14, for transmitting and receiving data for remote service of system 16 (see col. 5, lines 47-50 and see Fig. 1) ;

Howards Koritzinsky, however, does not disclose the limitation of managing the storage period of each of the medical image data sets that have been stored.

Sitka discloses the limitation of managing a storage period of each of the medical image data sets that have been stored as the technique of direct storage manager (DSM) 220 for controlling short term storage device 170, mid-term storage device 180 and long term storage device 190 (see col. 5, lines 6-8 and see Fig. 2).

It would have been obvious one having ordinary skill in the art at the time the invention was made to include Sitka's system manager for controlling short term storage device, mid-term storage device and long term storage device into that of Howards Koritzinsky's invention. By doing so, the system would be enhanced by allow itself to categorized each received data sets and stored those into proper storage location. Thus, the system would reduce access time and requires less intervention by hospital personnel.

As per claims 9/5 and 9/7, the limitation of wherein the image data storage apparatus has a function of transmitting a storage completion signal to the medical image data storage means at the time of storing the medical image data sets is taught by Howards Koritzinsky as the technique of field service units 24 may be linked to service facility 22 via a remote access

Art Unit: 2173

network 80...Data may be exchanged between the diagnostic systems, field service units, and remote service facility 22 in any suitable format (see col. 6, lines 34-41) and at step 404, the program is stored such as in a database 156 or other storage device accessible to the service facility (see col. 23, lines 65-67).

This claim is therefore rejected for the reason as set forth above.

As per claim 11, Howards Koritzinsky discloses the limitation of “the medical image data storage apparatus storing the medical image data sets” as the technique of a local storage source at the diagnostic system, as well as from a remote library (see col. 4, lines 15-17) and the limitation of “enabling transmission of the medical image data sets to the medical data storage apparatus” as the technique of field service units 24 may be linked to service facility 22 via a remote access network 80...Data may be exchanged between the diagnostic systems, field service units, and remote service facility 22 in any suitable format (see col. 6, lines 34-41) and at step 404, the program is stored such as in a database 156 (see col. 23, lines 65-66).

This claim is therefore rejected for the reason as set forth above.

As per claim 12, due to the similarity of this claim to the last two limitation of claim 1, this claim is therefore rejected for the same reasons applied to claim 1.

As per claim 13, due to the similarity of this claim to that of claim 10, this claim is therefore rejected for the same reasons applied to claim 10.

Art Unit: 2173

As per claim 18, Howards Koritzinsky discloses the invention substantially as claimed above. Howards Koritzinsky, however, does not disclose the limitation of determines a storage expiration date of each of the medical image data sets stored in the image data storage.

Sitka discloses the limitation of determines a storage expiration date of each of the medical image data sets stored in the image data storage as the technique of Image group requested within a first **predetermined period of time?** (see block 340 in Fig. 3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Sitka's predetermined period of time for determining a storage expiration date of each of the medical image data sets stored in the image data storage into that of Howards Koritzinsky's invention. By doing so, the system would be enhanced by allow itself to categorized each received data sets and determining storage expiration based on predetermined period of time prior to store those into proper storage location. Thus, the system would reduce access time and requires less intervention by hospital personnel.

As per claim 19, Howards Koritzinsky discloses the invention substantially as claimed above. Howards Koritzinsky, however, does not disclose the limitation of determines a storage expiration date of each of the medical image data sets by using the storage period of the medical image data set and a date of reception of the medical image data set.

Sitka discloses the limitation of determines a storage expiration date of each of the medical image data sets by using the storage period of the medical image data set and a date of reception of the medical image data set as the technique of Receive Digital Image (see block 320

Art Unit: 2173

in Fig. 3) and Image group requested within a first **predetermined period of time**? (see block 340 in Fig. 3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Sitka's determines a storage expiration date of each of the medical image data sets by using the storage period of the medical image data set and a date of reception of the medical image data set into that of Howards Koritzinsky's invention. By doing so, the system would be enhanced by allow itself to categorized date of each received data sets and determining storage expiration based on predetermined period of time prior to store those into proper storage location. Thus, the system would reduce access time and requires less intervention by hospital personnel.

As per claim 22, due to the similarity of this claim to that of claim 19, this claim is therefore rejected for the same reasons applied to claim 19.

As per claim 20, Howards Koritzinsky discloses the invention substantially as claimed above. Howards Koritzinsky, however, does not disclose the limitation of determines a storage expiration date of each of the medical image data sets according to accompany information of the medical image data set.

Sitka discloses the limitation of determines a storage expiration date of each of the medical image data sets according to accompany information of the medical image data set as the technique of Receive Digital Image and **Associated image information from network** (see

Art Unit: 2173

block 320 in Fig. 3) and Image group requested within a first **predetermined period of time?**
(see block 340 in Fig. 3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Sitka's determination of a storage expiration date of each of the medical image data sets according to accompanying information of the medical image data set into that of Howard's Koritzinsky's invention. By doing so, the system would be enhanced by allowing itself to categorize the date of each received data set and determining storage expiration based on a predetermined period of time prior to storing those into proper storage location. Thus, the system would reduce access time and requires less intervention by hospital personnel.

As per claim 25, due to the similarity of this claim to that of claim 20, this claim is therefore rejected for the same reasons applied to claim 20.

As per claim 21, due to the similarity of this claim to that of claim 18, this claim is therefore rejected for the same reasons applied to claim 18.

As per claim 23, due to the similarity of this claim to that of claim 18, except for method instead of system, this claim is therefore rejected for the same reasons applied to claim 18.

As per claim 24, due to the similarity of this claim to that of claim 23, this claim is therefore rejected for the same reasons applied to claim 23.

As per claim 26, Howards Koritzinsky discloses the invention substantially as claimed above. Howards Koritzinsky, however, does not disclose the limitation of medical image management disposing each of the medical image data sets according to the storage expiration date of respective medical image data sets in a predetermined manner.

Sitka discloses the limitation of medical image management disposing each of the medical image data sets according to the storage expiration date of respective medical image data sets in a predetermined manner as the technique of the technique of direct storage manager (DSM) 220 for controlling short term storage device 170, mid-term storage device 180 and long term storage device 190 (see col. 5, lines 6-8 and see Fig. 2) based on Image group requested within a first predetermined period of time and Image group requested within a second predetermined period of time (see blocks 340 and 360 in Fig. 3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Sitka's arrangement of images into short term storage device, mid-term storage device and long term storage device based on predetermined period of time into that of Howards Koritzinsky's invention. By doing so, the system would be enhanced by allowing itself to categorize each received data set and store those into proper storage location. Thus, the system would reduce access time and require less intervention by hospital personnel.

As per claim 27, the limitation of wherein the medical image data sets are medical images of patients is taught by Howards Koritzinsky as the technique of the medical diagnostic systems include a magnetic resonance imaging (MRI) system 14, a computed tomography (CT) system 16, and an ultrasound imaging system 18. The diagnostic systems may be positioned in a single

Art Unit: 2173

location or facility, such as a medical facility 20 (see col. 4, lines 30-37) and information relating to specific patient identifications (see col. 16, lines 52-53). This claim is therefore rejected for the reason as set forth above.

As per claim 28, the limitation of wherein each of the medical image data sets are one of X-ray images, CT images, and MR images are taught by Howards Koritzinsky as the technique of the medical diagnostic systems include a magnetic resonance imaging (MRI) system 14, a computed topography (CT) system 16, and an ultrasound imaging system 18(see col. 4, lines 34-36). This claim is therefore rejected for the reason as set forth above.

Reason for Allowance

5. Claims 6, 8, 9/6, 9/8 and 17 are objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is an examiner's statement of reasons for allowance:

Examiner carefully considered claims 6 and 8 of the present application. None of the cited arts of record including Ross et al. (USPN: 6,608,628), Banks et al. (USPN: 6,603,494), Howards Koritzinsky et al. (USPN: 6,598,011), Toshimitsu et al. (USPN: 6,434,569), Fuchs (USPN: 6,418,475), Tipirneni (USPN: 6,381,029), Sitka et al. (USPN: 6,349,373), Hiyama et al. (USPN: 6,269,379), Barnsley et al. (USPN: 5,754,704), and Pinsky et al. (USPN: 5,655,084) discloses a medical image management system which includes the image data storage apparatus means for regularly measuring a total amount of the medical image data sets stored in the medical image

Art Unit: 2173

data storage means, for calculating a difference between a capacity of the medical image data storage means and the total amount of the medical image data sets, and for receiving the image data sets from the medical image data storage means when the difference becomes smaller than a predetermined value (see claim 6) nor a medical image management system includes the image data storage apparatus means regularly measuring a total amount of the medical image data sets stored therein, and calculating a difference between a capacity of the medical image data storage means and the total amount of the medical image data sets stored in the medical storage means, and for transmitting the reception request signal to the image data storage apparatus when the difference becomes smaller than a predetermined value (see claim 8). In particular, Howards Koritzinsky is cited for message report to indicate when the System Disk is Full (see Fig. 9). Barnsley is cited for compressed data representation which is of a size smaller than the predetermined size of the original three dimensional data set (see col. 9, lines 59-63). None of them discloses a medical image management system includes the image data storage apparatus means for regularly measuring a total amount of the medical image data sets stored in the medical image data storage means, for calculating a difference between a capacity of the medical image data storage means and the total amount of the medical image data sets, and for receiving the image data sets from the medical image data storage means when the difference becomes smaller than a predetermined value nor suggests a medical image management system includes the image data storage apparatus means regularly measuring a total amount of the medical image data sets stored therein, and calculating a difference between a capacity of the medical image data storage means and the total amount of the medical image data sets stored in the medical storage means, and for transmitting the reception request signal to the image data storage apparatus when the

difference becomes smaller than a predetermined value. Claims 9/6, 9/8, and 17 further limit the objected claims 6 and 8, respectively. Therefore, they are also allowed for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Applicant arguments filed on June/29/2004 have been fully considered, but they are not persuasive.

On page 18, first paragraph, Applicants argue that " Applicants submit that the reference fails to teach or suggest a mobile image data reception device, having of function of receiving medical image data sets" The Examiner, however, does not agree to this argument since Howards Koritzinsky discloses mobile image device having function of receiving medical image data sets as the technique of a service system 10 which is illustrated **for providing remote service** to a plurality of medical diagnostic system 12. **In Fig.1**, the medical diagnostic systems include a magnetic resonance imaging (MRI) system 14, a computed topography (CT) system 16, and an ultrasound imaging system 18. The diagnostic systems may be positioned in a single location or facility, such as a medical facility 20 (see col. 4, lines 30-37), system controllers 46 is linked to a communications modules 48, generally similar to communications module 32 of MRI system 14, **for transmitting and receiving data** for remote service of system 16 (see col. 5, lines 47-50). Transmitting and receiving is **transceiver** device having both functionality of transmitting and receiving information. Fig. 8 is illustration of remote device.

Art Unit: 2173

On page 18, second paragraph, Applicants argue that “ Applicants also submit that Howards Koritzinsky fail to disclose or suggest “storage period management means for managing storage period of each of the medical image data sets stored thereon”. The Examiner agree that Howards Koritzinsky lacks of this feature. However, this feature is suggested by Sitka as the technique of direct storage manager (DSM) 220 for controlling short term storage device 170, mid-term storage device 180 and long term storage device 190 (see col. 5, lines 6-8 and see Fig. 2) based on predetermined period of time (see blocks 340 and 360 in Fig. 3).

On page 19, third paragraph, with respect to claims 2-4 and 10, Applicant argue that “Claims 2-4, and 10, which depend from claim 1, are patentable for at least the reasons argued for claim 1”. The Examiner, however, does not agree to this argument. These claims are therefore rejected for the same reasons applied to claim 1 as set forth above.

On page 19, fourth paragraph, Applicants argue that “ For reason similar to those argued for claim 1, claims 5, 14, 15 are patentable. Claims 7, 9/5, 9/7, 11-13, 16, which depend from claim 5, are patentable for at least the reasons submitted for claim 5”. The Examiner, however, does not agree to this argument. These claims 5, 14-15 are therefore rejected for the same reasons applied to claim 1 as set forth above. Claims 7, 9/5, 9/7, 11-13, 16 are therefore rejected for the same reasons applied to claim 5 as set forth above.

Art Unit: 2173

Conclusion

8. A shortened statutory period for response to this action is set to expired THREE months, ZERO days from the date of this letter. Failure to respond within the period for response will cause the application to be abandoned.

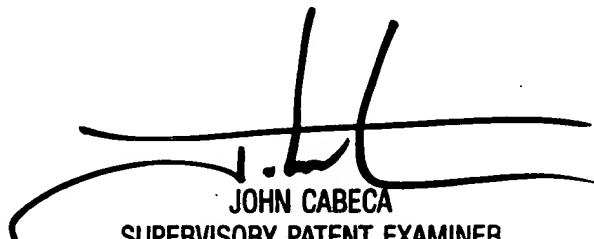
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG T THAI whose telephone number is (571) 272-4056. The examiner can normally be reached on 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CUONG T THAI
Examiner
Art Unit 2173

January 06, 2005



JOHN CABECA
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